

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

PENTALPHA MACAU COMMERCIAL  
OFFSHORE LIMITED,

Plaintiff,

v.

DAMODER REDDY,

Defendant.

No. C-03-05914 MMC (EDL)

**ORDER DENYING DEFENDANT LEAVE  
TO FILE A MOTION FOR  
RECONSIDERATION OF OCTOBER 27,  
2005 DISCOVERY ORDER**

After failing to oppose Plaintiff Pentalpha Macau Commercial Offshore Limited's Motion to Compel Documents, For Preclusion Sanctions, and For Monetary Sanctions (the "Discovery Motion"), and almost one month after this Court issued its Order Granting in Part the Discovery Motion (the "October 27, 2005 Order"), Defendant Damoder Reddy now requests leave of Court to file a motion for reconsideration of the October 27, 2005 Order.

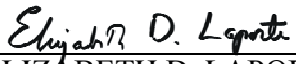
Reddy seeks leave to file a motion for reconsideration on the ground that Local Rule 7-9 "specifies that reconsideration may be requested for a manifest failure of the court to consider material facts or dispositive arguments." Docket No. 164 at 2. Reddy, however, quotes only part of the rule, which actually requires a party moving for reconsideration to "specifically show: A manifest failure by the Court to consider material facts or dispositive legal arguments *which were presented to the Court before*" it issued its October 27, 2005 Order. See Civil L.R. 7-9(b)(3) (emphasis added). As Reddy's counsel acknowledges, the Discovery Motion was unopposed, thus no material facts or dispositive arguments were presented to the Court. Docket No. 164 at 2. (Reddy does not explain what compelling reasons, if any, prevented him from opposing the

1 Discovery Motion in the first instance, but only states that “Counsel for defendant . . . failed because  
2 of circumstances to file a timely opposition to the motion.” Id.)

3 Because Reddy has not “specifically shown” any ground for reconsidering the October 27,  
4 2005 Order as he must under Local Rule 7-9(b), the Court DENIES Reddy leave to file any such  
5 motion.

6  
7 **IT IS SO ORDERED.**

8  
9 Dated: December 1, 2005

  
\_\_\_\_\_  
ELIZABETH D. LAPORTE  
United States Magistrate Judge